

STATE OF SOUTH CAROLINA

(Caption of Case)

Carolina Power + Light Company d/b/a
Progress Energy Carolinas, Inc.
Annual Review of Base Rates for
fuel costs.

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2009-1-E

(Please type or print)

Submitted by: Moore + Van Allen, PLLC

SC Bar Number:

Address: Thomas S. Mullikin

Telephone: 704-331-1000

100 N. Tryon St

Fax: 704-339-5870

Charlotte NC 28202

Other:

Email: tommullikin@mvalaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

RETURN DATE: 10/16/09
SERVICE: 10/16/09

**BEFORE THE
PUBLIC SERVICE COMMISSION OF SOUTH
CAROLINA**

DOCKET NO. 2009-1-E

IN THE MATTER OF:

Carolina Power & Light Company d/b/a)
Progress Energy Carolinas, Inc.)
Annual Review of Base Rates for)
Fuel Costs)

**PETITION TO INTERVENE
BY NUCOR STEEL –
SOUTH CAROLINA**

2009 MAR 12 PM 01:14
SOUTH CAROLINA
PUBLIC SERVICE
COMMISSION

RECEIVED

Nucor Steel-South Carolina ("Nucor"), a Division of Nucor Corporation, pursuant to Rule 103-825 of the rules and regulations of the South Carolina Public Service Commission ("Commission"), hereby respectfully petitions to intervene in the above-captioned docket. Nucor states the following grounds in support of this petition:

1. Nucor owns and operates a steel production facility near Darlington, South Carolina. As a retail customer of Progress Energy Carolinas, Inc. ("Progress Energy") (formerly known as Carolina Power & Light Company ("CP&L")), Nucor purchases hundreds of millions of kWh of electricity annually at a cost of millions of dollars a year. Since the cost of electricity comprises one of the major costs of Nucor's manufacturing process, electric costs directly affect Nucor's ability to continue to produce steel at a competitive price.
2. This docket has been established to review Progress Energy's historical and projected fuel costs and to determine the appropriate fuel factor for the next twelve months. Nucor has a stake in, and will be directly and substantially affected by, the outcome of this proceeding. Due to the magnitude of its load and its unique service characteristics, Nucor cannot be adequately represented by any other party to this proceeding. At this early stage in the proceeding, Nucor has not fully determined what position it may take and how long it will take to complete its presentation and any cross-examination during the public hearing established in this proceeding. Since 1987, Nucor has actively participated in

many previous Progress Energy and CP&L fuel and rate proceedings before this Commission.

3. Nucor's mailing address is:

Nucor Steel – South Carolina
P.O. Box 525
Darlington, SC 29532

4. Nucor will be jointly represented in this proceeding by the firms of Brickfield, Burchette, Ritts & Stone, P.C and Moore & Van Allen, PLLC. Brickfield, Burchette, Ritts & Stone, P.C. represents Nucor in matters regarding electric rates and service in jurisdictions throughout the United States. In the past few years, attorneys of the firm have appeared before this Commission, the Federal Energy Regulatory Commission, and many other state utility commissions. In accordance with Rule 103-804 T(1)(b) of the Commission's Rules of Practice and procedure, for the purposes of this proceeding, Brickfield, Burchette, Ritts & Stone, P.C. is associated with the firm of Moore & Van Allen, PLLC, whose attorneys are licensed to practice in South Carolina. Service and correspondence regarding this proceeding should be sent to both the undersigned firms.

WHEREFORE, for the reasons set forth above, Nucor respectfully requests permission to intervene in this proceeding.

Respectfully submitted,

MOORE & VAN ALLEN, PLLC



Thomas S. Mullikin
Robert R. Smith II

100 North Tryon Street
Suite 4700
Charlotte, North Carolina 28202
(704) 331-1000
(704) 339-5870 (fax)
tommullikin@mvalaw.com
robsmith@mvalaw.com

BRICKFIELD, BURCHETTE, RITTS &
STONE, P.C.

Garrett A. Stone
Michael K. Lavanga

1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007
(202) 342-0800
(202) 342-0807 (Fax)
gas@bbrslaw.com
mkl@bbrslaw.com

Counsel for Nucor Steel – South
Carolina

Dated: March , 2009

BEFORE THE
PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2009-1-E

SC PUBLIC SERVICE
COMMISSION

2009 MAR 12 PM 2:45

RECEIVED

In the Matter of:

Carolina Power & Light Company
d/b/a Progress Energy Carolinas, Inc.
Annual Review of Base Rates
For Fuel Costs

)
)
)
)
)
)

CERTIFICATE OF SERVICE

This is to certify that the foregoing document was served upon the
following parties at the addresses set forth by first-class mail, telefax or Federal
Express on this the 12 day of March, 2009:

Len S. Anthony, Esq.
Carolina Power and Light Company d/b/a
Progress Energy Services Company
Legal Department - PEB 17A4
Post Office Box 1551
Raleigh, NC 27602

Shealy Boland Reibold
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201



Thomas S. Mullikin
Robert R. Smith, II